

1 BARRY J. PORTMAN
Federal Public Defender
2 ANGELA M. HANSEN
Assistant Federal Public Defender
3 160 West Santa Clara Street, Suite 575
San Jose, CA 95113
4 Telephone: (408) 291-7753
5 Counsel for Defendant JAY DAVID HEMM
6
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

E-FIELD - 10/21/05

10 UNITED STATES OF AMERICA,)	No. CR-05-00559-RMW
)	
11 Plaintiff,)	STIPULATION AND
12 v.)	ORDER TO CONTINUE STATUS
)	HEARING
13)	
14 JAY DAVID HEMM)	
)	
15 Defendant.)	

16 Defendant, Jay David Hemm, through his counsel, Assistant Federal Public Defender
17 Angela M. Hansen, and government counsel, Assistant United States Attorney Gary Fry, stipulate
18 and agree to continue the status hearing date of October 24, 2005 to November 14, 2005 at 9:00
19 a.m.

20 The parties request to continue this case because counsel for Mr. Hemm has requested
21 additional discovery that the government has agreed to provide. Once government counsel
22 provides this information, defense counsel will need time to review it with her client.
23 Additionally, Mr. Hemm is facing charges in Santa Clara County for offenses related to this case.
24 Mr. Hemm has two court appearances set within the next two weeks and would like to have his
25 status in this case follow his appearances in state court. For these reasons, the parties stipulate
26 and agree to continue this case until November 14, 2005.

The parties further stipulate and agree that time should continue to be excluded under

1 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) because the ends of justice served by the continuance
2 requested outweigh the best interest of the defendant and the public in a speedy trial because the
3 failure to grant such a continuance would unreasonably deny Mr. Hemm the time necessary for
4 effective preparation.

5
6 October 19, 2005

/S/_____
ANGELA M. HANSEN
Assistant Federal Public Defender

7
8
9 October 19, 2005

/S/_____
GARY FRY
Assistant United States Attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. CR-05-00559-RMW
)	
Plaintiff,)	ORDER TO
v.)	CONTINUE STATUS HEARING
)	
JAY DAVID HEMM)	
)	
Defendant.)	
_____)	

Pursuant to the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that the status hearing date of October 24, 2005 is continued until November 14, 2005 at 9:00 a.m. It is FURTHER ORDERED that time will continue to be excluded under 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv) for defense preparation.

Dated: October 21, 2005

/S/ RONALD M. WHYTE
HONORABLE RONALD M. WHYTE
United States District Judge

1 Distribute to:

2 Ms. Angela M. Hansen
3 Assistant Federal Public Defender
160 West Santa Clara Street, Suite 575
4 San Jose, CA 95113
Counsel for Defendant

5 Mr. Gary Fry
6 Assistant United States Attorney
150 Almaden Blvd., Suite 900
7 San Jose, CA 95113
Counsel for the United States